

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-2, 5, 7-12, 15, 17-22, 25 and 27-36 are presently active in this case. The present Amendment amends Claims 1, 7, 11, 17, 21, 27 and 35-36 and cancels Claims 3, 4, 13, 14, 23 and 24.

The outstanding Office Action objected to the specification and claims because of informalities. Claims 1-3, 5, 8, 11-13, 15, 18 and 33-36 were rejected under 35 U.S.C. § 102(b) as being anticipated by Carlström et al. (EP 421,967 A1). Claims 1, 2, 5, 8, 11-12, 15 and 18 were rejected under 35 U.S.C. § 102(b) as being anticipated by Sai (U.S. Patent No. 5,765,948). Claims 1-2, 5, 8-12, 15 and 18-20 were rejected under 35 U.S.C. § 102(b) as being anticipated by Iida et al. (U.S. Patent No. 5,356,220). Claims 31 and 32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Iida et al. in view of Weiss (U.S. Patent No. 5,419,636). Claims 21-23, 25 and 28-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Iida et al. in view of Sai. Claims 31-32 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting.

Claims 4, 7, 14, 17, 24 and 27 were indicated as allowable if rewritten in independent form. Applicant acknowledges with appreciation the indication of allowable subject matter.

In response, Claims 4, 7, 14 and 24 are rewritten in independent form by incorporating the features from these claims in independent Claims 1, 7, 11 and 21, respectively.

In response to the objections to the specification and claims, the specification and Claims 1, 11, 21 and 31 are amended to correct the noted informalities. In light of their formal nature, the changes to the specification and claims do not raise a question of new matter.

Application No. 10/706,937
Reply to Office Action of January 5, 2005

In response to the rejections of the claims under 35 U.S.C. § 102(b); 35 U.S.C. §103(a), and the doctrine of double patenting, all independent claims having been amended to recite the features of allowable claims, these rejections are now moot and pending Claims 1-2, 5, 7-12, 15, 17-22, 25 and 27-36 are believed to be allowable.

The present amendment is submitted in accordance with the provisions of 37 C.F.R. § 1.116, which after Final Rejection permits entry of amendments canceling rejected claims or complying with requirements of form set forth in a previous Office Action. As the present amendment merely rewrites allowable Claims 4, 7, 14 and 24 in independent form as suggested in the previous Office Action, it is respectfully requested that the present amendment be entered.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-2, 5, 7-12, 15, 17-22, 25 and 27-36 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599
Philippe J. C. Signore, Ph.D.
Registration No. 43,922

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)